

## Minutes of the County Commissioners of Worcester County, Maryland

October 4, 2022

Joseph M. Mitrecic, President  
Theodore J. Elder, Vice President  
Anthony W. Bertino, Jr.  
Madison J. Bunting, Jr.  
James C. Church  
Joshua C. Nordstrom  
Diana Purnell

Following a motion by Commissioner Bertino, seconded by Commissioner Elder, the commissioners unanimously voted to meet in closed session at 9:00 a.m. in the Commissioners' Meeting Room to discuss legal and personnel matters permitted under the provisions of Section 3-305(b)(1) and (7) of the General Provisions (GP) Article of the Annotated Code of Maryland and to perform administrative functions permitted under the provisions of Section GP 3-104. Also present at the closed session were Chief Administrative Officer Weston Young, County Attorney Roscoe Leslie, Budget Officer Candace Savage, Public Information Officer Kim Moses, and Human Resources Director Stacey Norton, State's Attorney Kris Heiser, and Board of Education Superintendent Lou Taylor, and Chief Financial Officer Vince Tolbert. Topics discussed and actions taken included the following: discussing personnel matters; negotiating strategy before awarding a contract; receiving legal advice from counsel; and performing administrative functions, including discussing the administration of grant funded programs for the Board of Education and potential board appointments.

Following a motion by Commissioner Nordstrom, seconded by Commissioner Bertino, the commissioners unanimously voted to adjourn their closed session at 10:05 a.m.

After the closed session, the commissioners reconvened in open session. Commissioner Mitrecic called the meeting to order, and following a morning prayer by Pastor Dale Brown of the Community Church at Ocean Pines and pledge of allegiance, announced the topics discussed during the morning closed session.

The commissioners reviewed and approved their September 20, 2022 closed session minutes as presented and closed session minutes as amended.

The commissioners presented commendations to Worcester Technical High School (WTHS) student Matthew Beck for taking second place in the Principles of Engineering/Technology category and team members Kayla Layfield, Miah Schwind, and Brianna Angelo for taking sixth place in the American Spirit category during the annual SkillsUSA National Leadership and Skills Conference on June 24, 2022.

The commissioners also commended WTHS instructors and students for representing Worcester County across the State of Maryland and the nation with such excellence that WTHS was honored with a bronze award during the conference.

The commissioners joined with Fire Marshal Matt Owens to proclaim October 9-15, 2022 as Worcester County Fire Prevention Week and October as Fire Prevention Month. Mr. Owens that this year's celebration marks the 100<sup>th</sup> anniversary of Fire Prevention Week.

The commissioners joined with Tourism and Economic Development Director Melanie Pursel, Anne Neely of Shore Craft Beer, Brian Brushmiller of Burley Oak Brewing Company, and Paul Carlotta of Sinepuxent Brewing to recognize October as Shore Craft Beer Month in Worcester County and to encourage residents and visitors to take part in the many local craft beer centered events this month, including the annual autumn Shore Craft Beer Fest in Ocean City's scenic Sunset Park on October 29.

The commissioners presented a proclamation to Karen Hughes of the Life Crisis Center to recognize October as Domestic Violence Awareness and Prevention Month and to commend Life Crisis professionals for their role in transforming those experiencing domestic violence from victims to #WeAreResilient.

Upon a motion by Commissioner Bertino, the commissioners unanimously approved by consent agenda item numbers 4-8 as follows: out-of-state-travel for two staff members to attend the National Recreation and Parks Association Park Maintenance and Management School January 29 - February 3, 2023; approving the sole source purchase of \$14,410 from Eastern Lift Truck Company for forklift clamps for the Recycling Division; accepting the low bid of \$197,784 from Chesapeake Turf, LLC for upgrades to the Homeowner Convenience Center in Snow Hill; accepting the sole proposal from Maple Shade Youth and Family Services, Inc. for the Bounce Back program within the Local Management Board; and issuing a letter of support for S. 3011/H.R. 5735 to allow administrative flexibility for the U.S. Treasury to ensure their Office of Recovery can be fully functioning to partner with and provide support to counties.

Pursuant to the request of Senior Budget Accountant Kim Reynolds and upon a motion by Commissioner Bertino, the commissioners unanimously accepted a Police Body Worn Equipment grant of \$379,904 for the Sheriff's Office to begin implementing the body worn camera program. In response to questions by Commissioner Bertino, Ms. Reynolds confirmed that funds allocated by the commissioners to the Sheriff's Office in the FY23 budget for this purpose will be returned to the County's General Fund dollar for dollar.

Pursuant to the request of Environmental Programs Director Bob Mitchell and upon a motion by Commissioner Nordstrom, the commissioners unanimously approved an over expenditure of \$5,002.39 for increased fuel costs and to repair a vehicle damaged in an accident that was entirely the fault of the other driver, but for which the insurance companies failed to settle in the case. The commissioners further directed staff to pursue legal action within the District Court, so the driver, not County taxpayers, pay for the vehicle repairs.

The commissioners met with Maryland Department of Transportation (MDOT) and local State Highway Administration (SHA) officials to discuss County projects included in the MDOT/SHA FY23-FY28 Maryland Consolidated Transportation Program budget of \$19.9 billion. MDOT Secretary Jim Ports presented an overview of statewide priority projects, and he

reviewed a list of recent improvements, including upgrades to the intersection of MD Rt. 376 and MD Rt. 611 to improve safety and traffic flow, and reiterated that funds of \$15 million have been allocated by Governor Hogan to accelerate preliminary planning and design for MD Rt. 90, which include a MD Rt. 90 Planning and Environmental Linkages Study to address improve traffic operations, pedestrian and bicycle accessibility, emergency evacuation, economic development, capacity, and traffic operations. He advised that this study will be published and available to the public in December 2022.

SHA Administrator Tim Smith reviewed local projects, including improvements at Bay Street and U.S. Rt. 113 to Flower Street, along with various resurfacing projects throughout the County. In response to concerns raised by Commissioner Elder, Mr. Smith advised that SHA will review options to improve traffic flow and safety at U.S. Rt. 50 and MD Rt. 610.

In response to concerns raised by Commissioner Bertino that there has been no movement on plans developed 20 years ago to dualize MD Rt. 589, Mr. Smith confirmed that no funds have been allocated to that project. Mr. Ports advised that \$19 billion is not enough to complete all local roadway construction projects statewide. Therefore, projects are prioritized based on their ranking. Furthermore, MDOT officials rely on and allocate funds for roadway improvement projects based on the priorities identified by each of the local jurisdictions, which as outlined in the most recent letter from the commissioners includes MD Rt. 90, replacing the Harry W. Kelly Memorial Bridge drawbridge, and MD Rt. 589, respectively. Commissioner Bertino stated that in such a scenario, no improvements would be made to MD Rt. 589 for 50 years, and he requested information on where MD Rt. 589 ranks on the State list of priority projects. Chief Administrative Officer Weston Young advised that MD Rt. 90, the U.S. Rt. 50 drawbridge, and MD Rt. 589 are the County's three Hail Mary projects, though these have not been identified in order of ranking. He advised that County officials are awaiting requested information from the State identifying the amount of right-of-way (ROW) that must be reserved to dualize MD Rt. 589. Mr. Ports confirmed that MDOT staff will expedite that request. Commissioner Nordstrom stated that State approval for the Casino at Ocean Downs created traffic flow problems that exist today; therefore, the State should provide the funding needed to address these concerns.

MTA Planning and Program Director Melissa Williams reviewed Chesapeake Bay Bridge program improvements, and she advised that the civil waiver grace period for video tolls will expire November 30, 2022.

MTA Local Transit Support Director Travis Johnston advised that MTA is providing FY23 operating and capital grants of \$4.1 million for Shore Transit and \$2.9 million for the Ocean City transit system. In response to concerns raised by Commissioner Elder that local transit systems have been operating on a flat budget for 10 years, Mr. Johnston stated that funding for the State Specialized Transportation Program will increase in FY25 to account for inflation.

Ms. Nizer provided an update on MVA services, specifically the online component which provides increased accessibility to customers, and she advised that the deadline to comply with federal REAL ID requirements is May 3, 2023, though Maryland currently has 88% compliance. Mr. Solanki reviewed planned aviation projects, including \$180,000 for runway rehabilitation at the Ocean City Municipal Airport (OCMA).

Senator Mary Beth Carozza thanked MDOT officials for completing the project to dualize U.S. Rt. 113, which for many years was the top priority of the Worcester County

Commissioners, and for their immediate steps to improve safety conditions along Grays Corner Road where a teenage boy was struck and killed by a vehicle. She considered the dualization of MD Rt. 90 and MD Rt. 589 as one combined local priority, and she stressed the urgency for State officials to provide County officials with the information needed to assure that they are able to secure the ROW needed to dualize these State roads.

Delegate Otto highlighted just how vital regional airports, specifically the OCMA, Salisbury Airport, and Crisfield-Somerset County Airport, are to Eastern Shore businesses. He stated that he is looking forward to the unveiling of the new State aviation funding formula to improve regional operations.

Snow Hill Mayor Mike Pruitt urged State officials to include funding for a bypass at MD Rt. 113 and MD Rt. 12 to improve safety, and he expressed his full support for priority funding for the MD Rt. 589 and MD Rt. 90 dualization projects.

The commissioners recessed for 10 minutes.

Pursuant to the request of Board of Elections Director Patti Jackson and upon a motion by Commissioner Bertino, the commissioners unanimously authorized Board of Elections staff to rent one hotel room at a cost of \$992 (\$99.22 per night) for staff to remain in Ocean City throughout the duration of early voting at the Roland E. Powell Convention Center from October 27 - November 3, 2022.

Pursuant to the request of Tourism and Economic Development Director Melanie Pursel and upon a motion by Commissioner Nordstrom, the Commissioners unanimously agreed to adopt Resolution No. 22-24 consenting to the application for the new designation of the Pocomoke City Enterprise Zone. Ms. Pursel explained that the objective of the Enterprise Zones Program is to focus local and State resources on the encouragement of economic growth in economically distressed areas and employment of the chronically unemployed in the State.

Pursuant to the request of Recreation and Parks Director Kelly Rados and upon a motion by Commissioner Nordstrom, the commissioners unanimously approved the following projects to be funded utilizing grant funds of \$1 million from the Maryland Department of Natural Resources (DNR) Local Parks and Playground Infrastructure (LPP) program: \$75,000 for the Worcester County Recreation Center (WCRC) batting cage; \$450,000 for the WCRC bleacher replacement; \$225,000 for the Bishopville Park playground replacement; \$200,000 for the Newark Park playground replacement; and \$50,000 for the Newark Park volleyball court replacement.

In response to a question by Commissioner Bertino, Ms. Rados confirmed that all of these projects are 100% reimbursable, and no County funds have been allocated for these projects. In response to concerns raised by Commissioner Nordstrom regarding the need to prioritize projects to upgrade the concession stands at the County parks in Pocomoke City and Snow Hill, Ms. Rados stated that County staff are inventorying all recreation and parks infrastructure, so that they will be able to apply for Program Open Space funding to cover the cost of replacing this infrastructure as it reaches the end of its useful life.

Pursuant to the request of Public Works Director Dallas Baker and upon a motion by

Commissioner Elder, the commissioners unanimously approved a \$9,000 intergovernmental loan from the General Fund to the Ocean Pines Sanitary Service Area (SSA) for the development of an environmental report, which is required by USDA Rural Development as part of the grant application process for St. Martin's by the Bay. The County has been working with the USDA to obtain grant funding for the design and construction of the proposed water distribution system to serve St. Martin's by the Bay.

Pursuant to the recommendation of Development Review and Permitting (DRP) Director Jennifer Keener and upon a motion by Commissioner Bunting, the commissioners unanimously adopted the Commissioners' Findings of Fact and Zoning Reclassification Resolution 20-4 for Rezoning Case No. 436 to rezone approximately 8.12 acres on the east side of Daye Girls Road, north of and adjacent to the St. Martins River, and more specifically identified on Tax Map 9 as part of Parcel 166, Revised Parcel B, from RP – Resource Protection District to E-1 Estate District.

Pursuant to the recommendation of Ms. Keener and upon a motion by Commissioner Purnell, the commissioners voted 6-1, with Commissioner Bertino voting in opposition, to adopt the Commissioners' Findings of Fact and Zoning Reclassification Resolution 22-5 for Rezoning Case No. 437 to rezone approximately 2.25 acres of a larger 4.5-acre parcel of land on the north side of U.S. Rt. 50 and east of and adjacent to Herring Creek, from R-2 Suburban Residential District to C-2 General Commercial District.

Pursuant to the recommendation of Procurement Officer Nicholas Rice and upon a motion by Commissioner Nordstrom, the commissioners unanimously accepted the low bid of \$96,258.10 from Mike Houck Construction for the blacktop surfacing project at the Health Department in Snow Hill.

The commissioners reviewed and discussed various board appointments.

Upon a nomination by Commissioner Bertino, the commissioners unanimously agreed to appoint Judith Giffin to the Commission for Women.

Upon a nomination by Commissioner Purnell, the commissioners unanimously agreed to appoint Christian Martin to the Agricultural Preservation Advisory Board.

Upon a nomination by Commissioner Elder, the commissioners unanimously agreed to appoint Harry Wimbrow to the Economic Development Advisory Board.

Commissioner Nordstrom thanked Public Works and Emergency Services officials for their public safety efforts during a recent weather event.

The commissioners answered questions from the press, after which they adjourned to meet again on October 18, 2022.